

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

v.

[REDACTED]

ALBERTO JUNIOR CANO (7)

a.k.a. AJ

[REDACTED]

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SEALED

No. 4:23-CR-269

Judge Mazzant

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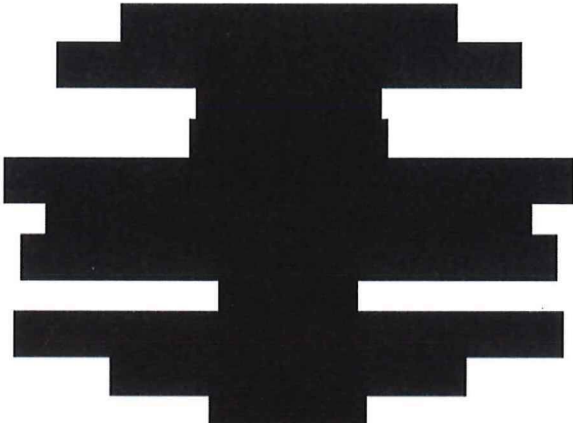
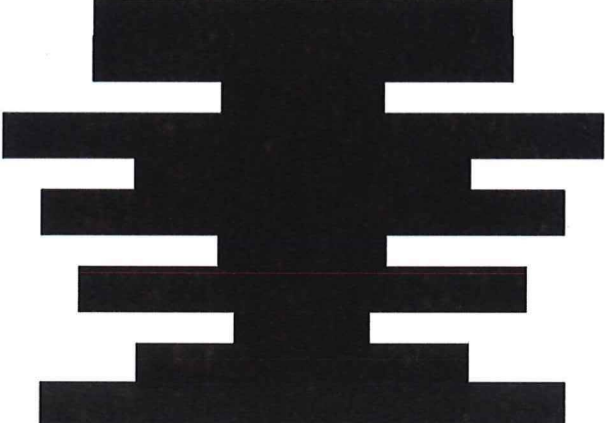
FIRST SUPERSEDING INDICTMENT

The United States Grand Jury charges:

Count One

Violation: 21 U.S.C. § 846
(Conspiracy to Distribute and
Possess with Intent to Distribute
Fentanyl)

From in or about January 2022, the exact date of which being unknown to the Grand Jury, and continuing until and through the date of the filing of this Indictment, in the Eastern District of Texas and elsewhere,


ALBERTO JUNIOR CANO (7)
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Defendants, did knowingly and intentionally combine, conspire, and agree with other persons unknown to the United States Grand Jury, to manufacture, distribute and possess with the intent to manufacture and distribute 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl), a violation of 21 U.S.C. § 841(a)(1).

In violation of 21 U.S.C. § 846.

Count Two

Violation: 21 U.S.C. § 841(a)(1)
(Possess with Intent to Distribute
Fentanyl Resulting in Death)

On or about August 28, 2023, in the Eastern District of Texas and elsewhere, [REDACTED] and [REDACTED], Defendants, did knowingly and intentionally distribute and possess with the intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl) and serious bodily injury and death to H.H., a person known to the grand jury, resulted from the use of the Fentanyl, a violation of 21 U.S.C. § 841(a)(1).

Count Three

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance
of a Drug Trafficking Crime)

From on or about December 2, 2023 through March 28, 2024, in the Northern District of Texas and elsewhere, Defendant [REDACTED] did knowingly possess a firearm, namely: a FN Herstal 509 pistol, SN: GKS0208916, a Romarm/Cugir Micro Draco, SN: ROA22PMD-38769, a Spike's Tactical Rifle, Model: ST15, SN: 085013, a Glock 45 pistol, SN: BXLV231, a Glock 19x pistol with a full auto "switch", SN: AGMF480, and a Glock 43x pistol, SN: BMAM754, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, namely: conspiracy to possess with intent to manufacture and distribute fentanyl, in violation of Title 21 United States Code, Section 841(a)(1).

Count Four

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance
of a Drug Trafficking Crime)

On or about November 15, 2023, in the Northern District of Texas and elsewhere, Defendant [REDACTED] did knowingly possess a firearm, namely: a Springfield Hellcat Pistol, SN: BB260803, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, namely: conspiracy to possess with intent to manufacture and distribute fentanyl, in violation of Title 21 United States Code, Section 841(a)(1).

Count Five

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance
of a Drug Trafficking Crime)

From on or about November 10, 2023 through December 19, 2023, in the Northern District of Texas and elsewhere, Defendant [REDACTED] did knowingly possess a firearm, namely: a Glock 43x pistol, SN: BMF915 and a Romarm/Cugir Micro Draco, SN: ROA22PMD-29017, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, namely: conspiracy to possess with intent to manufacture and distribute fentanyl, in violation of Title 21 United States Code, Section 841(a)(1).

Count Six

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance
of a Drug Trafficking Crime)

On or about March 22, 2024, in the Northern District of Texas and elsewhere, Defendant [REDACTED] did knowingly possess a firearm, namely: a Smith & Wesson Rifle, Model: M&P15-22, Serial Number: DWC8469 and a Radical Arms Rifle, Model: RF-15, Serial Number: 2-034418, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, namely: conspiracy to possess with intent to manufacture and distribute fentanyl, in violation of Title 21 United States Code, Section 841(a)(1).

Count Seven

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance
of a Drug Trafficking Crime)

On or about September 8, 2023, in the Northern District of Texas and elsewhere, Defendant [REDACTED] did knowingly possess a firearm, namely: a FN Herstal 509 pistol, SN: GKS0354578, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, namely: conspiracy to possess with intent to manufacture and distribute fentanyl, in violation of Title 21 United States Code, Section 841(a)(1).

Count Eight


Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance
of a Drug Trafficking Crime)

On or about October 25, 2023, in the Northern District of Texas and elsewhere, Defendant [REDACTED] did knowingly possess a firearm, namely: a Taurus PT111 GS pistol, SN: TKT17619 and a Smith and Wesson Revolver, SN: 745935, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, namely: conspiracy to possess with intent to manufacture and distribute fentanyl, in violation of Title 21 United States Code, Section 841(a)(1).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE


Criminal Forfeiture Pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 924(d)


As a result of committing the felony offenses in violation of 21 U.S.C. § 846 and 18 U.S.C. § 924(c) alleged in this first superseding indictment, the defendants shall forfeit to the United States, pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 924(d), any property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violation, as well as all firearms and ammunition involved in the offense, specifically including:

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- FN Herstal 509 pistol, SN: GKS0208916
 - Romarm/Cugir Micro Draco, SN: ROA22PMD-38769
 - Spike's Tactical Rifle, Model: ST15, SN: 085013
 - Glock 45 pistol, SN: BXLV231
 - Glock 19x pistol with a full auto "switch", SN: AGMF480
 - Glock 43x pistol, SN: BMAM754

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- Springfield Hellcat Pistol, SN: BB260803

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- Glock 43x pistol, SN: BMF915
 - Romarm/Cugir Micro Draco, SN: ROA22PMD-29017

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- Smith & Wesson Rifle, Model: M&P15-22, Serial Number: DWC8469
 - Radical Arms Rifle, Model: RF-15, Serial Number: 2-034418
 - \$5,500.25 in U.S. Currency

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- \$12,441 in U.S. currency

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- FN Herstal 509 pistol, SN: GKS0354578

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- Taurus PT111 GS pistol, SN: TKT17619
 - Smith and Wesson Revolver, SN: 745935

A TRUE BILL

GRAND JURY FOREPERSON

DAMIEN M. DIGGS
UNITED STATES ATTORNEY

MATTHEW T. JOHNSON
Assistant United States Attorney

Date: _____

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NO. 4:23-CR-269
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NOTICE OF PENALTY

Counts One & Two

Violation: 21 U.S.C. §§ 846, 841(a)

Penalty: If 400 grams or more of a mixture or substance containing a detectable

First Superseding Indictment

Page 9

amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl) or 100 grams or more of a mixture of substance containing a detectable amount of any analogue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl) the penalty is not less than 10 years and not more than life imprisonment, a fine not to exceed \$10 million, or both; supervised release of at least 5 years;

If death or serious bodily injury resulted from the use of Fentanyl, then a term of imprisonment of not less than twenty (20) years or more than life, a fine not to exceed \$1,000,000.00 or both. A term of supervised release of at least five (5) years. If any person commits a violation after a prior conviction for a felony drug offense has become final and if death or serious bodily injury resulted from the use of fentanyl, then a term of imprisonment of life, a fine not to exceed \$2,000,000.00 or both.

Special Assessment: \$100.00

Counts Three through Eight

Violation: 18 U.S.C. § 924(c)(1)

Penalty: Imprisonment for a term of not less than 5 years which must be served consecutively to any other term of imprisonment, a fine not to exceed \$250,000; supervised release of not more than 3 years.

Special Assessment: \$100.00